

**AMERICAN ARBITRATION ASSOCIATION
230 SOUTH BROAD STREET, 12TH FLOOR
PHILADELPHIA, PA 19102-4106**

Case No. 14 390 00618 11

In the Matter of Arbitration Between

**CITY OF PHILADELPHIA :
Employer : CONSENT AWARD**
**and :
FRATERNAL ORDER OF POLICE :
LODGE NO. 5 :
Union :
-----:**

ARBITRATOR: Robert E. Light, mutually chosen by the parties pursuant to the rules and regulations of the American Arbitration Association

HEARINGS: September 27, 2011 at the offices of the American Arbitration Association, Philadelphia, Pennsylvania

APPERANCES: For the City
Colin Haviland, Esq. Assistant City Solicitor

For the Union
Thomas Jennings, Esq.
David Quaintance, Grievant

ISSUE: Was there just cause for the discharge of David Quaintance?
If not, what shall be the remedy?

BACKGROUND

A hearing in this matter was held at the offices of the American Arbitration Association in Philadelphia, Pennsylvania on September 27, 2011 with both sides present and duly represented by counsel and with both sides having full and complete opportunity to offer evidence and argument in support of their respective contentions. As was arranged at the proceeding, the parties reached an amicable resolution of this case. Indeed, the parties are to be commended for exhibiting the spirit of cooperation and willingness to compromise which surfaced at the hearing and which eventually produced the following resolution. The parties requested that the arbitrator set forth the terms of their settlement in an Award which he has done and which is set forth below:

CONSENT AWARD

1. Police Officer David Quaintance is to be immediately reinstated to his position of employment as a police officer for the City of Philadelphia
2. Officer Quaintance is to be reinstated with full back pay (including overtime), benefits (including healthcare) and otherwise made whole with regard to any loss in employment benefits sustained by him as a result of the discharge.
3. The City shall expunge Officer Quaintance's records, to the fullest extent possible, of any reference to the discharge and shall not refer to or rely in any fashion upon such discharge, or in the facts underlying same, with regard to any personnel decision made regarding Quaintance in the future.
4. Officer Quaintance shall be assigned to a numbered District.
5. The Arbitrator shall retain jurisdiction over this matter for the sole and exclusive purpose of resolving any dispute that might arise regarding the remedy provided above.

Robert E. Light
ROBERT E. LIGHT ARBITRATOR

State of New Jersey:

ss

County of Somerset:

On this 26th day of October 2011 before me personally came and appeared ROBERT E. LIGHT to me known and known to me to be the individual described in who executed the foregoing instrument and acknowledged to me that he executed the same.

Lee M. Masielli
LEE M. MASIELLI
NOTARY PUBLIC STATE OF NEW JERSEY
MY COMMISSION EXPIRES MARCH 3, 2012